

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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<b>TRUSTEES OF THE NORTHEAST</b>	:
<b>CARPENTERS HEALTH, PENSON,</b>	:
<b>ANNUITY, APPRENTICESHIP, AND LABOR</b>	:
<b>MANAGEMENT COOPERATION FUNDS,</b>	:
Plaintiff,	:
	:
– against –	:
	:
<b>SABRE TILE CORP.,</b>	:
	:
Defendant.	:
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**ANN M. DONNELLY**, United States District Judge:

On October 29, 2019, the petitioner filed this action seeking confirmation of an arbitration award and reasonable attorneys’ fees and costs expended in connection with this action. (ECF No. 1.) The petitioner sought to recover unpaid contributions and related damages owed by the respondent pursuant to § 502(a)(3) of the Employee Retirement Income Security Act of 1974 and § 301 of the Labor Management Relations Act of 1947. (*Id.*) The respondent did not answer or otherwise move with respect to the petition.

On August 5, 2020, I referred the petition to Magistrate Judge Ramon E. Reyes for a report and recommendation. On June 1, 2021, Judge Reyes recommended that I confirm the arbitration award and award the petitioner \$144,822.21. (ECF No. 10.) No objections have been filed to the report and recommendation, and the time for doing so has passed.

A district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). To accept those portions of the report and recommendation to which no timely objection has been made, “a

district court need only satisfy itself that there is no clear error on the face of the record.” *VOX Amplification Ltd. v. Meussdorffer*, 50 F. Supp. 3d 355, 369 (E.D.N.Y. 2014).

I have carefully reviewed Judge Reyes’s well-reasoned report and recommendation and find no error. Accordingly, I adopt the report and recommendation in its entirety and order that the arbitration award be confirmed, and the petitioner be awarded \$144,822.21:

- (1) \$143,647.21 for the remaining balance on the arbitration award;
- (2) \$735 in attorneys’ fees; and
- (3) \$440 in costs.

**SO ORDERED.**

s/Ann M. Donnelly  
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ANN M. DONNELLY  
United States District Judge

Dated: Brooklyn, New York  
July 1, 2021